

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                      |                        |              |
|---|----------------------|------------------------|--------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/656,308             |              |
|   | Filing Date          | 09/05/2003             |              |
|   | First Named Inventor | Gerald Labauze         |              |
|   | Art Unit             | 1714                   |              |
|   | Examiner Name        | Not Yet Assigned       |              |
| Total Number of Pages in This Submission  | 9                    | Attorney Docket Number | 03161.001318 |

| ENCLOSURES (Check all that apply)  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application                          | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer   | <input type="checkbox"/> Other Enclosure(s) (please identify below):                       |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund  |  |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> CD, Number of CD(s) _____   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | Remarks  |  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    |  |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

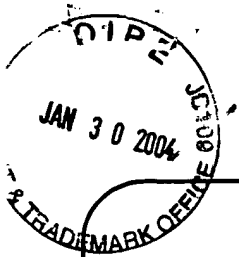
|                         |  |
|-------------------------|--|
| Firm or Individual name | John D. Murnane<br>Fitzpatrick, Cella, Harper & Scinto<br>30 Rockefeller Plaza<br>New York, NY 10112 |
| Signature               |  |
| Date                    | 1-28-04  |

**CERTIFICATE OF TRANSMISSION/MAILING**

|   |                                  |      |         |
|---|----------------------------------|------|---------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                                  |      |         |
| Typed or printed name   | John D. Murnane, Reg. No. 29,836 |      |         |
| Signature   |                                  | Date | 1-28-04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



P10-1318

-87-PTO/SB/82 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REVOCATION OF POWER OF  
ATTORNEY and APPOINTMENT OF  
NEW POWER OF ATTORNEY**

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/656,308       |
| Filing Date            | 09/05/2003       |
| First Named Inventor   | Gerard Labauze   |
| Art Unit               | 1714             |
| Examiner Name          | Not Yet Assigned |
| Attorney Docket Number | 03161.001318     |

I hereby revoke all previous powers of attorney given in the above-identified application:

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners at Customer Number:

05514

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

05514

OR

|                                     |                            |                                     |       |              |     |       |
|-------------------------------------|----------------------------|-------------------------------------|-------|--------------|-----|-------|
| <input checked="" type="checkbox"/> | Firm or<br>Individual Name | Fitzpatrick, Cella, Harper & Scinto |       |              |     |       |
| Address                             |                            | 30 Rockefeller Plaza                |       |              |     |       |
| Address                             |                            | 39 <sup>th</sup> Floor              |       |              |     |       |
| City                                |                            | New York                            |       |              |     |       |
| Country                             |                            | USA                                 | State | NY           | Zip | 10112 |
| Telephone                           |                            | 212-218-2100                        | Fax   | 212-218-2200 |     |       |

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

|           |                  |           |  |
|-----------|------------------|-----------|--|
| Name      | Robert HIEBEL    |           |  |
| Signature |                  |           |  |
| Date      | January 13, 2004 | Telephone |  |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



ASSIGNEE CERTIFICATE UNDER 37 C.F.R. 3.73(b)

Michelin Recherche et Technique, S.A., a corporation duly organized under the laws of Switzerland, and having its principal place of business at Route Louis Braille 10 et 12, Granges-Paccot CH-1763, Switzerland, hereby certifies that it is the owner of all right, title, and interest in the above-identified application, by virtue of a Chain of Title from the inventor Gerard Labauze of the above-identified application to the current assignee as follows:

a. From: Gerard Labauze; To: Michelin Recherche et Technique, S.A. was filed with the Patent and Trademark Office on December 18, 2003. A Notice of Recordation has not yet been received. Copies of the assignment, transmittal papers and postcard are enclosed herewith.

I am empowered to sign this certificate on behalf of the assignee, Michelin Recherche et Technique, S.A.

MICHELIN RECHERCHE ET TECHNIQUE S.A

Date: January 13, 2004

Name: Robert HIEBEL

Title: Holder of proxy

Signature: 

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza

New York, New York 10112-3800

Telephone: (212) 218-2100

Facsimile: (212) 218-2200

OIPE  
 JAN 30 2004  
 PATENT & TRADEMARKS

**BAKER BOTTS L.L.P.**  
 ATTORNEYS AT LAW  
 30 Rockefeller Plaza  
 44th and 45th floors  
 New York, New York 10112-0228

INQUIRIES: (212) 705-5000  
 TAXPAYER I.D. #74-1195457

| Invoice N. | Date       | Voucher                      | Gross Amount     | Discount | Net Amount |
|------------|------------|------------------------------|------------------|----------|------------|
| 12543582   | 12/17/2003 | RKS A35523PCTUSAA<br>1064213 | anulman<br>40.00 | 0.00     | 40.00      |

|                             |        |            |            |              |       |
|-----------------------------|--------|------------|------------|--------------|-------|
| Check No.                   | 173367 | Check Date | 12/17/2003 | Vendor No.   | 11135 |
| Vendor Name                 |        |            |            | Total Amount |       |
| COMMISSIONER OF PATENTS AND |        |            |            | 40.00        |       |

In Re: Gerard Labauze 10/656,308  
 (Applicant) (Serial No.)  
 In Re: \*Recordation 12/18/03 A35523-PCT-USA-A  
 (070337.0353)  
 (Title of Paper) (Date) (File No.)

The stamp of the Patent Office Mail Room hereon acknowledges the receipt of the above-identified papers on the date indicated by such stamp.

- 1)\*Recordation Form Cover Sheet (2 pages)
- 2) Executed Assignment (2 pages);
- 3) Fee Transmittal (1 page);
- 4) Check - \$40;
- 5) Return Receipt Postcard

### MAIL STOP ASSIGNMENT

Chase Bank, N.A.  
 New York, New York

**BAKER BOTTS L.L.P.**  
 ATTORNEYS AT LAW  
 New York Operating Account

CHECK # 173367  
 DATE 12/17/2003

12  
 210

\$ \*\*\*\*\*40.00

PAY FORTY AND 00/100 Dollars

NOT NEGOTIABLE SIX MONTHS  
 FROM THE DATE OF ISSUE

TWO SIGNATURES REQUIRED OVER \$2500.00

TO THE ORDER OF  
 COMMISSIONER OF PATENTS AND  
 TRADEMARKS



JAN 30 2004

FILE NO. A35523-PCT-USA-A (070337.0353)

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

|  |  |
|--|--|
| <p>1. Name of conveying party(ies):<br/><b>GERARD LABAUZE</b></p> <p>Additional name(s) of conveying party(ies) attached?<br/><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>  | <p>2. Name and address of receiving party(ies)<br/>Name: <b>MICHELIN RECHERCHE ET TECHNIQUE S.A.</b></p> <p>Address: <b>ROUTE LOUIS BRAILLE 10 ET 12</b></p> <p>City: <b>GRANGES-PACCOT</b> State:      Zip: <b>CH-1763</b></p> <p>Additional name(s) and address(es) attached? Country: <b>CH</b><br/><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> |
| <p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment      <input type="checkbox"/> Merger<br/><input type="checkbox"/> Security Agreement      <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other:</p> <p>Execution Date: <b>NOVEMBER 17, 2003</b></p> |  |

4. Application number(s) or patent number(s) **10/656,308**

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No.(s)      B. Patent No.(s)

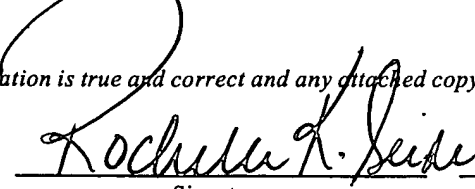
Additional numbers attached? ☐ Yes ☒ No

|   |   |
|---|---|
| <p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <b>Rochelle K. Seide, Ph.D.</b></p> <p><b>BAKER BOTTS L.L.P.</b></p> <p><b>30 Rockefeller Plaza - 44 Fl.</b></p> <p><b>New York, NY 10112</b></p> | <p>6. Total number of applications and patents involved: <b>1</b></p> <p>7. Total fee (37 CFR 3.41):      \$ <b>40.00</b></p> <p><input checked="" type="checkbox"/> Enclosed<br/><input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number :<br/><b>02-4377</b> (Charge any additional fees to this account)<br/>(Attach duplicate copy of this page if paying by deposit account)</p> |
|---|---|

DO NOT USE THIS SPACE

9. Statement and signature

*To the best of my knowledge and belief, the foregoing instrumentation is true and correct and any attached copy is a true copy of the original document.*

**Rochelle K. Seide, Ph.D.**            **12/18/03**

\_\_\_\_\_  
Name of Person Signing      Signature      Date

Page 1 of 2

Total number of pages including cover sheet, attachments and document:



FILE NO. A35523-PCT-USA-A (070337.0353)

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

10. Additional Names of assigning party(ies):

10a. Additional Names of receiving party(ies):

11. Application number(s) or registration number(s):

A. Patent Application No.(s)

B. Patent Registration No.(s)

Page 2 of 2

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

**Commissioner of Patents and Trademarks**  
**Box Assignments**  
**Alexandria, VA 22313-1450**

**BAKER BOTTS LLP**

# FEE TRANSMITTAL for FY 2003

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$40)

## Complete if Known

Application Number 10/656,308  
Filing Date September 5, 2003  
First Named Inventor Gerard Labauze  
Examiner Name Not Yet Assigned  
Art Unit 1714  
Attorney Docket No. A35523-PCT-USA-A (070337.0353)

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee required under 37CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description        | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 770                      | 2001 385                      | Utility filing fee     |          |
| 1002 340                      | 2002 170                      | Design filing fee      |          |
| 1003 530                      | 2003 265                      | Plant filing fee       |          |
| 1004 770                      | 2004 385                      | Reissue filing fee     |          |
| 1005 160                      | 2005 80                       | Provisional filing fee |          |

SUBTOTAL (1) (\$0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | - 20 = 0     | X              | 0        |
| Multiple Dependent | - 3 = 0      | X              | 0        |

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description  |
|-------------------------------|-------------------------------|--|
| 1202 18                       | 2202 9                        | Claims in excess of 20                                     |
| 1201 86                       | 2201 43                       | Independent claims in excess of 3                          |
| 1203 290                      | 2203 145                      | Multiple dependent claim, if not paid                      |
| 1204 86                       | 2204 43                       | ** Reissue independent claims over original patent         |
| 1205 18                       | 2205 9                        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description  | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1051 130                      | 2051 65                       | Surcharge - late filing fee or oath  |          |
| 1052 50                       | 2052 25                       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                      | 1053 130                      | Non-English specification  |          |
| 1812 2,520                    | 1812 2,520                    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 920*                     | 1804 920*                     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                   | 1805 1,840*                   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                      | 2251 55                       | Extension for reply within first month                                     |          |
| 1252 420                      | 2252 210                      | Extension for reply within second month                                    |          |
| 1253 950                      | 2253 475                      | Extension for reply within third month                                     |          |
| 1254 1,480                    | 2254 740                      | Extension for reply within fourth month                                    |          |
| 1255 2,010                    | 2255 1,005                    | Extension for reply within fifth month                                     |          |
| 1401 330                      | 2401 165                      | Notice of Appeal   |          |
| 1402 330                      | 2402 165                      | Filing a brief in support of an appeal                                     |          |
| 1403 290                      | 2403 145                      | Request for oral hearing   |          |
| 1451 1,510                    | 1451 1,510                    | Petition to institute a public use proceeding                              |          |
| 1452 110                      | 2452 55                       | Petition to revive - unavoidable   |          |
| 1453 1,300                    | 2453 650                      | Petition to revive - unintentional   |          |
| 1501 1,330                    | 2501 665                      | Utility issue fee (or reissue)   |          |
| 1502 480                      | 2502 240                      | Design issue fee   |          |
| 1503 630                      | 2503 315                      | Plant issue fee  |          |
| 1460 130                      | 1460 130                      | Petitions to the Commissioner  |          |
| 1807 50                       | 1807 50                       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                      | 1806 180                      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                       | 8021 40                       | Recording each patent assignment per property (times number of properties) | 40       |
| 1809 770                      | 2809 385                      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770                      | 2810 385                      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770                      | 2801 385                      | Request for Continued Examination (RCE)                                    |          |
| 1802 900                      | 1802 900                      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$40)

## SUBMITTED BY

Name (Print/Type)

Rochelle K. Seide, Ph.D.

Signature

*Rochelle K. Seide*

Registration No.  
(Attorney/Agent)

32,300

(Complete if applicable)

Telephone 212.408.2500

Date

December 18, 2003

ASSIGNMENT

WHEREAS, I, GERARD LABAUZE, citizen of France, whose post office address is 3, rue du Parc de Montjuzet, F-63100, Clermont-Ferrand, France, has made an invention entitled "RUBBER COMPOSITION FOR TIRE TREAD AND TIRE" as set forth and described in application for Letters Patent of the United States Application Serial No. 10/656,308, filed September 5, 2003; and

WHEREAS, Michelin Recherche et Technique S.A., a corporation organized and existing under the laws of the Country of Switzerland, and having an office for the transaction of business at Route Louis Braille 10 et 12, Granges-Paccot, Switzerland, CH-1763, is desirous of acquiring the entire right, title and interest in and to said invention and any improvements thereon, and in and to the said application for Letters Patent therefor, and any Letters Patent which may be obtained therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that I, the said, GERARD LABAUZE, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, to us in hand paid by said Michelin Recherche et Technique S.A., and other valuable considerations unto us moving from said Michelin Recherche et Technique S.A., at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, have sold, assigned, transferred and conveyed and by these presents do sell, assign, transfer and convey, unto said Michelin Recherche et Technique S.A., its successors and assigns, the entire right, title and interest in and to the said invention entitled "RUBBER COMPOSITION FOR TIRE TREAD AND TIRE" United States Application Serial No. 10/656,308, filed September 5, 2003, and any and all improvements thereon, and in and to said application and any division, continuation or continuation-in-part thereof, and in and to any Letters Patent of the United States which may be issued on any of said applications, and any reissues thereof, and in and to any and all applications for Letters Patent filed in foreign countries claiming priority to this application for Letters Patent of the United States filed herewith and any and all improvements, and any and all Letters Patent which may be granted in foreign countries therefrom, TO HAVE AND TO HOLD THE SAME to the full end of the term or terms for which any and all said Letters Patent may be granted;

AND I, the said, GERARD LABAUZE, does hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent of the United States to said Michelin Recherche et Technique S.A., as the assignee of the entire right, title and interest in and to the same, for the sole use and behalf of said Michelin Recherche et Technique S.A., its successors and assigns;

AND I, the said, GERARD LABAUZE, for the considerations aforesaid, do hereby covenant and agree to and with said Michelin Recherche et Technique S.A., its successors and assigns, that we have the full power to make this assignment, and that the rights assigned are not encumbered by any grant, license or right heretofore given, and that we, our executors or administrators, shall and will do all lawful acts and things and make, execute and deliver without further compensation, any and all other instruments in writing, further applications, papers, affidavits, powers of attorney, assignments, and other documents which, in the opinion of counsel for said Michelin Recherche et Technique S.A., its successors and assigns, may be



required or necessary to more effectively secure to and vest in said Michelin Recherche et Technique S.A., its successors and assigns, the entire right, title and interest in and to said invention and improvements, applications, Letters Patent, rights, benefits, privileges and advantages hereby sold, assigned, transferred and conveyed, and that we will sign any applications for reissue which may be desired by the owner of the patent or patents which may be issued for the said invention or improvements.

Subscribed and executed at Clermont Ferrand - France  
(Place)

on November 17, 2003  
(Date)



GERARD LABAUZE

Witness:

  
(Signature)

Odele JOUVE  
(Print Name)

November 17, 2003  
(Date)

\_\_\_\_\_  
(Date)